

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Christopher John Rubisch

v.

Civil No. 15-cv-031-JL

New Hampshire Department of
Corrections

REPORT AND RECOMMENDATION

On August 20, 2015, this court directed Rubisch to show cause why this matter should not be dismissed for failure to prosecute. Rubisch has failed to respond to that Order (doc. no. 18), or the court's July 17, 2015, Order (doc. no. 17). The court accordingly recommends that this case be dismissed, without prejudice, for failure to prosecute.¹

The court further recommends that the pending motions to dismiss (doc. no. 14), to extend deadline (doc. no. 15), and to amend complaint (doc. no. 16), be dismissed. By separate Order, the court vacates its previously-issued report and recommendation (doc. no. 12), as it is moot, in light of the instant recommendation.

Any objections to this Report and Recommendation must be

¹In addition to this case, Rubisch has two other cases pending in this court, Rubisch v. N.H. Dep't of Corrs., 15-cv-009-LM, and Rubisch v. Daly, 15-cv-076-JD. The court has issued similar recommendations to dismiss each of those matters.

filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b) (2). Failure to file objections within the specified time waives the right to appeal the district court's order. See United States v. De Jesús-Viera, 655 F.3d 52, 57 (1st Cir. 2011); Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010).

Andrea K. Johnstone
Andrea K. Johnstone
United States Magistrate Judge

September 15, 2015

cc: Christopher John Rubisch, pro se